

Franchise and Concession Review Public Meeting
February 8, 2017

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PUBLIC MEETING
FRANCHISE and CONCESSION REVIEW MEETING
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2 Lafayette Street
14th Floor
New York, New York

Wednesday, February 8, 2017
2:38 p.m.

APPEARANCES:

- Mayor: Peter Hatch
- Clerk: Stephanie Ruiz
- Office of the Mayor: Benjamin Furnas
- Corporation Counsel: Sharon Cantor
- Office of Management and Budget: Yvonne Quintian
- Comptroller: Richard Friedman
- Borough President of Brooklyn: Andrew Gouardes
- Borough President of Manhattan: James Caras
- Borough President of Queens: Angelina
Martinez-Rubio
- Borough President of Staten Island: Lashay Young

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Proceedings

THE CHAIRPERSON: Good afternoon
and thank you for being here. The
Franchise Concession Review Committee
Public Meeting will come to order.

Will the Clerk please call the
roll?

THE CLERK: Mayor?

THE CHAIRPERSON: Yes.

THE CLERK: Office of the Mayor?

OFFICE OF THE MAYOR: Yes.

THE CLERK: Comptroller?

THE COMPTROLLER: Here.

THE CLERK: Corporation Counsel?

CORPORATION COUNSEL: Here.

THE CLERK: Office of Management
and Budget?

OFFICE OF MANAGEMENT AND BUDGET:
Here.

THE CLERK: President, Borough of
the Bronx?

(No response.)

THE CLERK: President, Borough of
Brooklyn?

BROOKLYN BOROUGH PRESIDENT:

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1 Proceedings

2 Present.

3 THE CLERK: President, Borough of
4 Manhattan?

5 MANHATTAN BOROUGH PRESIDENT:
6 Here.

7 THE CLERK: President, Borough of
8 Queens?

9 QUEENS BOROUGH PRESIDENT: Here.

10 THE CLERK: President, Borough of
11 Staten Island?

12 STATEN ISLAND BOROUGH PRESIDENT:
13 Here.

14 THE CHAIRPERSON: Will the clerk
15 please call the first calendar item.

16 THE CLERK: New York City
17 Department of Parks and Recreation,
18 Calendar Item No. 1: In the matter of the
19 intent to seek Franchise and Concession
20 Review Committee approval to utilize a
21 different procedure, pursuant to Section
22 1-16 of the Concession Rules of the City of
23 New York, to authorize the New York City
24 Department of Parks and Recreation to enter
25 into a Sole Source License Agreement with

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1 Proceedings

2 the Prospect Park Alliance, Inc. for the
3 operation of various food concessions,
4 special events, short-term facility
5 agreements, and catering services at
6 Prospect Park, Brooklyn.

7 A proposed resolution was
8 submitted relative thereto, and the
9 resolution is calendared for adoption.

10 THE CHAIRPERSON: Is there a
11 member who wishes to ask a question or make
12 a statement on this matter?

13 (No response.)

14 THE CHAIRPERSON: If not, will a
15 member please make a motion to move this
16 item?

17 BROOKLYN BOROUGH PRESIDENT: So
18 moved.

19 THE CHAIRPERSON: Will another
20 member please second the motion?

21 CORPORATION COUNSEL: Second.

22 THE CHAIRPERSON: Will the clerk
23 please take the vote?

24 THE CLERK: Mayor?

25 THE CHAIRPERSON: Yes.

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Proceedings

THE CLERK: Office of the Mayor?

OFFICE OF THE MAYOR: Yes.

THE CLERK: Comptroller?

COMPTROLLER: Yes.

THE CLERK: Corporation Counsel.

CORPORATION COUNSEL: Yes.

THE CLERK: Office of Management
and Budget?

OFFICE OF MANAGEMENT AND BUDGET:
Yes.

THE CLERK: And on behalf of the
Borough Presidents, President, Borough of
Brooklyn?

BROOKLYN BOROUGH PRESIDENT: Yes.

THE CLERK: Calendar Item No. 1,
resolution is adopted.

THE CHAIRPERSON: Will the clerk
please call the second calendar item.

THE CLERK: New York City
Department of Transportation, Calendar Item
No. 2: In the matter of the intent to seek
Franchise and Concession Review Committee
approval to utilize a different procedure,
pursuant to Section 1-16 of the Concession

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1 Proceedings

2 Rules of the City of New York, to authorize
3 the New York City Department of
4 Transportation to negotiate a Sole Source
5 License Agreement with the 34th Street
6 Partnership, Inc., to provide for the
7 operation, management and maintenance of a
8 pedestrian plaza located at 33rd Street
9 between 7th and 8th Avenues in the Borough
10 of Manhattan.

11 A proposed resolution was
12 submitted relative thereto, and the
13 resolution is calendared for adoption.

14 THE CHAIRPERSON: Is there a
15 member who wishes to make a statement or
16 ask a question on this matter?

17 (No response.)

18 THE CHAIRPERSON: If not, will a
19 member please make a motion to move this
20 item?

21 BROOKLYN BOROUGH PRESIDENT: So
22 moved.

23 THE CHAIRPERSON: Will another
24 member please second the motion?

25 OFFICE OF THE MAYOR: Second.

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1 Proceedings

2 THE CHAIRPERSON: Will the clerk
3 please take the vote?

4 THE CLERK: Mayor?

5 THE CHAIRPERSON: Yes.

6 THE CLERK: Office of the Mayor?

7 OFFICE OF THE MAYOR: Yes.

8 THE CLERK: Comptroller?

9 COMPTROLLER: Yes.

10 THE CLERK: Corporation Counsel.

11 CORPORATION COUNSEL: Yes.

12 THE CLERK: Office of Management
13 and Budget?

14 OFFICE OF MANAGEMENT AND BUDGET:
15 Yes.

16 THE CLERK: And on behalf of the
17 Borough Presidents, President, Borough of
18 Manhattan?

19 MANHATTAN BOROUGH PRESIDENT:
20 Yes.

21 THE CLERK: Calendar Item No. 2,
22 resolution is adopted.

23 THE CHAIRPERSON: Will the clerk
24 please call the third calendar item.

25 THE CLERK: New York City

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1 Proceedings

2 Department of Citywide Administrative
3 Services, Calendar Item No. 3: In the
4 matter of the intent to seek Franchise and
5 Concession Review Committee approval to
6 utilize a different procedure, pursuant to
7 Section 1-16 of the Concession Rules of the
8 City of New York, to authorize the
9 Department of Citywide Administrative
10 Services, Asset Management to negotiate a
11 sole source occupancy permit with Emmons
12 Avenue Marina, LLC to utilize City-owned
13 waterfront property, also known as Block
14 8844, Lot 50, in the Borough of Brooklyn,
15 for dry boat storage, docking no more than
16 eight jet skis and business accessory
17 parking.

18 A proposed resolution was
19 submitted relative thereto, and the
20 resolution is calendared for adoption.

21 THE CHAIRPERSON: Is there a
22 member who wishes to make a statement or
23 ask a question on this matter?

24 (No response.)

25 THE CHAIRPERSON: If not, will a

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1 Proceedings

2 member please make a motion to move this
3 item?

4 BROOKLYN BOROUGH PRESIDENT: So
5 moved.

6 THE CHAIRPERSON: Will another
7 member please second the motion?

8 CORPORATION COUNSEL: Second.

9 THE CHAIRPERSON: Will the clerk
10 please take the vote?

11 THE CLERK: Mayor?

12 THE CHAIRPERSON: Yes.

13 THE CLERK: Office of the Mayor?

14 OFFICE OF THE MAYOR: Yes.

15 THE CLERK: Comptroller?

16 COMPTROLLER: Yes.

17 THE CLERK: Corporation Counsel.

18 CORPORATION COUNSEL: Yes.

19 THE CLERK: Office of Management
20 and Budget?

21 OFFICE OF MANAGEMENT AND BUDGET:
22 Yes.

23 THE CLERK: And on behalf of the
24 Borough Presidents, President, Borough of
25 Brooklyn?

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Proceedings

BROOKLYN BOROUGH PRESIDENT: Yes.

THE CLERK: Calendar Item No. 3,
resolution is adopted.

We ask that the reporter make the
entire public meeting agenda, which was
made publicly available and distributed
at this meeting, part of the final record
of this proceeding. That completes the
calendar.

THE CHAIRPERSON: Thank you.
Meeting adjourned.

(Time noted: 2:41 p.m.)

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<p align="center">A</p> <p>accessory (1) 8:16 action (1) 11:13 adjourned (1) 10:12 Administrative (2) 8:2,9 adopted (3) 5:17 7:22 10:4 adoption (3) 4:9 6:13 8:20 afternoon (1) 2:2 agenda (1) 10:6 Agreement (2) 3:25 6:5 agreements (1) 4:5 Alliance (1) 4:2 Andrew (1) 1:20 Angelina (1) 1:22 APPEARANCES (1) 1:13 approval (3) 3:20 5:24 8:5 Asset (1) 8:10 authorize (3) 3:23 6:2 8:8 available (1) 10:7 Avenue (1) 8:12 Avenues (1) 6:9</p>	<p>2:20,23 3:3,7,10,14,16 4:22,24 5:2,4,6,8,12,16,18,20 7:2,4,6,8 7:10,12,16,21,23,25 9:9,11,13,15 9:17,19,23 10:3 come (1) 2:5 Committee (4) 2:4 3:20 5:23 8:5 completes (1) 10:9 Comptroller (9) 1:19 2:12,13 5:4,5 7:8,9 9:15,16 Concession (8) 1:3 2:4 3:19,22 5:23,25 8:5,7 concessions (1) 4:3 Corporation (11) 1:17 2:14,15 4:21 5:6,7 7:10,11 9:8,17,18 Counsel (11) 1:17 2:14,15 4:21 5:6 5:7 7:10,11 9:8,17,18 COUNTY (1) 11:5</p>	<p align="center">I</p> <p>intent (3) 3:19 5:22 8:4 interested (1) 11:14 Island (3) 1:24 3:11,12 item (12) 3:15,18 4:16 5:16,19,21 6:20 7:21,24 8:3 9:3 10:3</p>
<p align="center">B</p> <p>behalf (3) 5:12 7:16 9:23 Benjamin (1) 1:16 Block (1) 8:13 blood (1) 11:13 boat (1) 8:15 Borough (27) 1:20,21,22,24 2:20 2:23,25 3:3,5,7,9,10,12 4:17 5:13 5:13,15 6:9,21 7:17,17,19 8:14 9:4,24,24 10:2 Bronx (1) 2:21 Brooklyn (12) 1:20 2:24,25 4:6,17 5:14,15 6:21 8:14 9:4,25 10:2 Budget (9) 1:18 2:17,18 5:9,10 7:13,14 9:20,21 business (1) 8:16</p>	<p align="center">D</p> <p>day (1) 11:17 Department (6) 3:17,24 5:21 6:3 8:2,9 different (3) 3:21 5:24 8:6 distributed (1) 10:7 docking (1) 8:15 dry (1) 8:15</p>	<p align="center">J</p> <p>James (1) 1:21 jet (1) 8:16 JOANNA (2) 11:7,19</p>
<p align="center">C</p> <p>C (2) 11:2,2 calendar (10) 3:15,18 5:16,19,21 7:21,24 8:3 10:3,10 calendared (3) 4:9 6:13 8:20 call (4) 2:6 3:15 5:19 7:24 Cantor (1) 1:17 Caras (1) 1:21 catering (1) 4:5 certify (2) 11:8,12 CHAIRPERSON (21) 2:2,9 3:14 4:10,14,19,22,25 5:18 6:14,18,23 7:2,5,23 8:21,25 9:6,9,12 10:11 City (8) 3:16,22,23 5:20 6:2,3 7:25 8:8 City-owned (1) 8:12 Citywide (2) 8:2,9 clerk (42) 1:15 2:6,8,10,12,14,16</p>	<p align="center">E</p> <p>E (2) 11:2,2 eight (1) 8:16 Emmons (1) 8:11 enter (1) 3:24 entire (1) 10:6 events (1) 4:4</p>	<p align="center">K</p> <p>KINGS (1) 11:5 known (1) 8:13</p>
	<p align="center">F</p> <p>F (1) 11:2 facility (1) 4:4 February (2) 1:8 11:17 final (1) 10:8 first (1) 3:15 Floor (1) 1:6 food (1) 4:3 Franchise (5) 1:3 2:4 3:19 5:23 8:4 Friedman (1) 1:19 Furnas (1) 1:16 further (1) 11:12</p>	<p align="center">L</p> <p>Lafayette (1) 1:6 Lashay (1) 1:24 License (2) 3:25 6:5 LLC (1) 8:12 located (1) 6:8 Lot (1) 8:14</p>
	<p align="center">G</p> <p>GARCIA (2) 11:7,19 Good (1) 2:2 Gounardes (1) 1:20</p>	<p align="center">M</p> <p>maintenance (1) 6:7 management (11) 1:18 2:16,18 5:8 5:10 6:7 7:12,14 8:10 9:19,21 Manhattan (6) 1:21 3:4,5 6:10 7:18 7:19 Marina (1) 8:12 marriage (1) 11:14 Martinez-Rubio (1) 1:23 matter (8) 3:18 4:12 5:22 6:16 8:4 8:23 11:10,15 Mayor (15) 1:14,16 2:8,10,11 4:24 5:2,3 6:25 7:4,6,7 9:11,13,14 meeting (6) 1:2,3 2:5 10:6,8,12 member (9) 4:11,15,20 6:15,19,24 8:22 9:2,7 motion (6) 4:15,20 6:19,24 9:2,7 move (3) 4:15 6:19 9:2 moved (3) 4:18 6:22 9:5</p>
	<p align="center">H</p> <p>hand (1) 11:17 Hatch (1) 1:14 hereunto (1) 11:16</p>	<p align="center">N</p> <p>negotiate (2) 6:4 8:10 New (12) 1:7,7 3:16,23,23 5:20 6:2 6:3 7:25 8:8 11:4,8 Notary (1) 11:7 noted (1) 10:13</p> <p align="center">O</p> <p>occupancy (1) 8:11 Office (19) 1:16,18 2:10,11,16,18 5:2,3,8,10 6:25 7:6,7,12,14 9:13 9:14,19,21 operation (2) 4:3 6:7</p>

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PUBLIC MEETING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

WEDNESDAY, FEBRUARY 8, 2017 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., NEW YORK, NEW YORK, N.Y. 10007 (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Public Meeting
Wednesday, February 8, 2017 @ 2:30 P.M.*

NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION

No. 1: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to authorize the New York City Department of Parks and Recreation (Parks) to enter into a Sole Source License Agreement (Agreement) with the Prospect Park Alliance, Inc. (Licensee) for the operation of various food concessions, special events, short-term facility agreements, and catering services at Prospect Park, Brooklyn. These concessions are to include a snack bar at the Parade Ground; seasonal food truck events in Prospect Park; mobile food units throughout the year throughout Prospect Park; short-term facility agreements for recreational, educational, cultural and other similar parks-appropriate programs and services and catering services at the Audubon Center at the Boathouse and the Picnic House; and other such uses as may be approved in advance in writing by Parks. Additionally, as set forth in the Agreement, Licensee shall collect special event concession fees generated by Third Party Events In lieu of a license fee, Licensee shall use all collected concession fees to offset Licensee's costs of providing management, maintenance, operation and programming services under the Agreement. The term of this Agreement shall commence upon Parks' giving written Notice to Proceed to Licensee and, unless terminated sooner in accordance with this Agreement, shall terminate ten (10) years from the date of execution of a new Maintenance and Operations Agreement (M&O Agreement) to be entered into with Licensee, or the last day of any subsequent renewal periods that are exercised pursuant to this Agreement. Parks, in its sole discretion, shall have the option to renew this Agreement for up to two (2) additional five (5)-year periods, provided that Parks has renewed the M&O Agreement for the same periods. Notwithstanding the foregoing, in no event will the total length of the term of this Agreement, including any renewal periods, exceed the shorter of (i) twenty (20) years; or (ii) the term of the M&O Agreement, including any renewal periods.

**A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.**

NEW YORK CITY DEPARTMENT OF TRANSPORTATION

No. 2: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to authorize the New York City Department of Transportation (“DOT”) to negotiate a Sole Source License Agreement (“Agreement”) with the 34th Street Partnership, Inc. (“the Partnership”), to provide for the operation, management and maintenance of a pedestrian plaza located at 33rd Street, between 7th and 8th Avenues, in the borough of Manhattan, (“Licensed Plaza”), including through DOT-approved events, sponsorships, and subconcessions, including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that promotes the neighborhood or the Partnership, and other similar merchandise within the Licensed Plaza. Subconcessions would be awarded based on solicitations issued by the Partnership in the basic form of Request for Proposals or Request for Bids, subject to DOT’s prior written approval of both solicitation and award.

**A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.**

**NEW YORK CITY DEPARTMENT OF CITYWIDE ADMINISTRATIVE
SERVICES**

No. 3: **IN THE MATTER** of the intent to seek Franchise and Concession Review Committee approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, to authorize the Department of Citywide Administrative Services, Asset Management (DCAS/AM) to negotiate a sole source occupancy permit (Permit) with Emmons Avenue Marina, LLC to utilize City-owned waterfront property, also known as Block 8844, Lot 50, Borough of Brooklyn, for dry boat storage, docking of no more than 8 jet skis, and business accessory parking. The property is approximately 52,940 square feet of uplands and 1,135 square feet of lands under water. DCAS/AM anticipates that the Permit will provide for a term of one year, commencing on approximately April 15, 2015, with two (2) one-year renewal options, exercisable at the City’s sole discretion.

**A proposed resolution was submitted relative thereto.
RESOLUTION FOR ADOPTION.**